



**IN THE
UNITED STATES
PATENT AND TRADEMARK
OFFICE**

<i>Application Number</i>	09/782,255
<i>Filing Date</i>	February 14, 2001
<i>First Named Inventor</i>	Bruce Marvin HELD
<i>Group Art Unit</i>	1636
<i>Examiner Name</i>	Nancy S. Vogel
<i>Attorney Docket Number</i>	N1205-009

Title of the Invention: **Promoter and Construct for Plant Transformation**

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 on this 26th day of January 2005. The number of the Express Mail mailing label is EV195486319US.

Kenyon L. Schuett
Reg. No. 44,324

AMENDMENT

Mail Stop RCE
Commissioner of Patents
P O Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Final Office Action mailed July 27, 2004, and the Advisory Action mailed November 1, 2004, in which the Examiner indicated that the reply filed September 22, 2004 failed to place the application in condition for allowance, please enter the amendments as shown on the attached pages.

Amendments to the Claims begin on page 2.

Remarks begin on page 3.